

Bureau of Internal Affairs
Investigations Division
Confidential Investigations Section

26 January 2012

TO: Commanding Officer
Confidential Investigations Section
Bureau of Internal Affairs

FROM: Sergeant Matthew Brown #2378
Confidential Investigations Section
Bureau of Internal Affairs

SUBJECT: Progress Report

REFERENCE: Complaint Log Number 1050830

ALLEGATIONS: Complainant [REDACTED] alleges unidentified members of the Department are operating as unlicensed and uninsured private security contractors.

On today's date at 1325 hours Reporting Sergeant spoke by telephone with the Project Supervisor of the job site in question, Mr. Jim Hempleman. Mr. Hempleman stated he would not be available for an in person interview but did agree to answer questions on the phone.

Mr. Hempleman stated in summary that Chicago Police personnel have been hired as off duty security personnel for his job site and they are direct employees of NOVAK CONSTRUCTION. Mr. Hempleman stated the scheduling of personnel is done by one of the members working security but reiterated that all personnel working security are paid directly by NOVAK CONSTRUCTION and are employees of NOVAK CONSTRUCTION. He further stated he would be able to provide cancelled checks attesting to the status of security personnel if it was necessary.

PROFESSIONS AND OCCUPATIONS (225 ILCS 447/) Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004.

Sec. 25-5. Exemptions; private security contractor. The provisions of this Act related to licensure of a private security contractor do not apply to any of the following:

...(3) A Person, watchman, or proprietary security officer employed exclusively by only one employer in connection with the exclusive activities of that employer.

The Department members that are working for NOVAK CONSTRUCTION at the COSTCO job site located on Ashland Avenue are direct employees of NOVAK CONSTRUCTION. As direct employees they are not involved as security contractors

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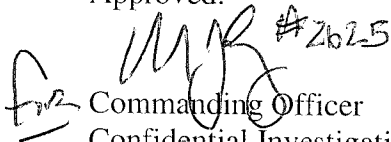
nor are required to abide by the licensing requirements that security contractors must heed to according to Illinois Compiled Statutes.

The allegations against unidentified Department member(s) have been unfounded based on the statements of Mr. Patrick Moriarity and Mr. Hempleman. Therefore this investigation must cease.



Sergeant Matthew Brown #2378
Confidential Investigations Section
Bureau of Internal Affairs

Approved:



Commanding Officer
Confidential Investigations Section
Bureau of Internal Affairs

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PROFESSIONS AND OCCUPATIONS
(225 ILCS 447/) Private Detective, Private Alarm, Private Security,
Fingerprint Vendor, and Locksmith Act of 2004.

(225 ILCS 447/Art. 25 heading)

ARTICLE 25. PRIVATE SECURITY CONTRACTORS.

(Article scheduled to be repealed on January 1, 2014)

(225 ILCS 447/25-5)

(Section scheduled to be repealed on January 1, 2014)

Sec. 25-5. Exemptions; private security contractor. The provisions of this Act related to licensure of a private security contractor do not apply to any of the following:

(1) An employee of the United States, Illinois, or a

political subdivision of either while the employee is engaged in the performance of his or her official duties within the scope of his or her employment. However, any such person who offers his or her services as a private security contractor or uses a similar title when these services are performed for compensation or other consideration, whether received directly or indirectly, is subject to this Act.

(2) A person employed as either an armed or unarmed security officer at a nuclear energy, storage, weapons, or development site or facility regulated by the United States Nuclear Regulatory Commission who has completed the background screening and training mandated by the regulations of the United States Nuclear Regulatory Commission.

(3) A person, watchman, or proprietary security officer employed exclusively by only one employer in connection with the exclusive activities of that employer.

(Source: P.A. 93-438, eff. 8-5-03.)

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